

REMARKS

Claim Amendments

By this Amendment, Applicant has amended claims 9, 11, and 12, and canceled claims 1 and 6-8 without prejudice or disclaimer of their subject matter. No new matter has been introduced.

Office Action

The Office Action rejected claims 1, 6-9, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,020,697 (“Goodman”) in view of U.S. Patent No. 5,718,520 (“MacKay”).

Rejection of Claims 1, 6-9, 11, and 12 under 35 U.S.C. § 103(a)

The rejection of claims 1 and 6-8 has been rendered moot by virtue of their cancellation. Applicant respectfully traverses the rejection of claims 9, 11, and 12 as being unpatentable over Goodman in view of MacKay.

The Office Action has not properly resolved the *Graham* factual inquiries, the proper resolution of which is the requirement for establishing a framework for an objective obviousness analysis. See M.P.E.P. § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007).

In particular, the Office Action has not properly determined the scope and content of the prior art. Goodman and MacKay, whether taken alone or in any combination, do not teach or suggest what the Office Action attributes to them. In addition, the Office Action has not properly ascertained the differences between the claimed invention and the prior art, at least

because the Office Action has not interpreted the prior art and considered both the invention and the prior art as a whole. See M.P.E.P. § 2141(II)(B).

Amended independent claim 9 recites “[a]n image forming method,” which includes, in part, the following features:

when a request for editing the job ticket is received from a remote operation apparatus connected to the image forming apparatus, reading out the job ticket from the first job ticket storing area and writing the read job ticket into a second job ticket storing area in the storage section, the second job ticket storing area being configured to store the job ticket capable of being edited only by the remote operation apparatus;

allowing the remote operation apparatus to exclusively edit the job ticket stored in the second job ticket storing area;

reading out, when a request for saving the job ticket is received from the remote operation apparatus, the job ticket edited by the remote operation apparatus from the second job ticket storing area and writing the read job ticket into the first job ticket storing area.

(Emphases added.)

In rejecting claim 9, the Office Action alleges that “the rationale provided in the rejection of claim 1 is incorporated herein. In addition, the apparatus of claim 1 performs the method of claim 9.” Office Action, p. 19. At page 12, in rejecting claim 1, the Office Action alleges that Goodman discloses:

a control section . . . configured to: control the image forming apparatus, when a request for editing a job is received from the remote operation apparatus . . . in such a way as to read out the job from the one job storing area, and write the read job into the another job storing area (*see Figs. 5 and 7 wherein information services 64 manage information and enable applications to access and manipulate data stored from documents or databases such that services 64 is capable of storing data on a single physical platform using database services 160 [column 76, lines 49-65] and see Fig. 8 wherein communication services 66 enables applications to*

*interact with other local applications on the same workstation
[column 82, lines 6-9 and column 83, lines 4-17]).*

Office Action, p. 12.

Applicants disagree with the Office Action's allegations. Goodman discloses, at col. 76, lines 49-65, that "[t]he information services 64 manage information and enable applications to access and manipulate data stored locally or remotely from documents, databases, or external data sources." Goodman also discloses that "the preferred information services 64 include[] data base services 160 and document services 162." *Id.*, col. 7, lines 60-61. Goodman further discloses that "[d]atabase services 160 are responsible for providing access to a local or remote database as well as maintaining integrity of the data within the database." *Id.*, col. 7, lines 61-64.

Goodman, however, does not teach or suggest, among other features, "when a request for editing the job ticket is received from a remote operation apparatus connected to the image forming apparatus, reading out the job ticket from the first job ticket storing area and writing the read job ticket into a second job ticket storing area in the storage section, the second job ticket storing area being configured to store the job ticket capable of being edited only by the remote operation apparatus," as recited in claim 9 (emphases added). Goodman's mere teaching of "manag[ing] information and enabl[ing] application to access and manipulate data stored locally or remotely from documents, databases, or external data sources" (Goodman, col. 7, lines 50-53), does not constitute a teaching of "reading out the job ticket from the first job ticket storing area and writing the read job ticket into a second job ticket storing area," when a request for editing the job ticket is received from a remote operation apparatus, as recited in claim 9.

The Office Action attempts to equate "individual records or files" with the claimed "first job ticket storing area" and "second job ticket storing area." Office Action, p. 12. This is incorrect. Nevertheless, even assuming Goodman's individual records or files are job ticket

storing areas, Goodman still does not teach or suggest when a request for editing a job ticket is received from a remote operation apparatus, reading out the job ticket from a first “individual record[] or file[]” and writing the read job ticket into a second “individual record[] or file[],” where the second individual record or file is configured to store the job ticket of being edited only by the remote operation apparatus.

The Office Action also alleges that Goodman’s “document security systems 168 only allow[] documents to be accessed exclusively through the document management backbone in such a way that document management access control services include check-in/check-out services to limit concurrent editing, which is analogous to the functionality of record locking [i.e. preventing two users from editing the same data (concurrency control)] [column 77, lines 25-34 and column 81, lines 5-20].” Office Action, p. 12. The Office Action further alleges that “[i]n conjunction with security services 168, document access services 170 limit[] concurrent editing using check-in/check-out services, which are analogous to record locking to prevent two users from editing the same data.” *Id.* at 9. In other words, the Office Action alleges that “the check-in/check-out services (i.e. concurrency control) of Fig. 6 are capable of preventing edition by the image forming apparatus while only allowing edition by the remote operation apparatus for the purpose of preventing two users from editing the same data at the same time.” *Id.* at 10.

However, even assuming, for the sake of argument, that Goodman teaches preventing two users from editing the same data, this teaching, even when combined with Goodman’s teaching of “manag[ing] information and enabl[ing] application to access and manipulate data stored locally or remotely from documents, databases, or external data sources” (Goodman, col. 7, lines 50-53), still does not constitute a teaching of “reading out the job ticket from the first job ticket storing area and writing the read job ticket into a second job ticket storing area, the second

job ticket storing area being configured to store the job ticket capable of being edited only by the remote operation apparatus,” when a request for editing the job ticket is received from a remote operation apparatus, as recited in claim 9 (emphasis added).

Moreover, Goodman’s teaching of concurrency control does not constitute a teaching of “allowing the remote operation apparatus to exclusively edit the job ticket stored in the second job ticket storing area,” into which a job ticket read from the first job ticket storing area is written when a request for editing the job ticket is received from the remote operation apparatus, and from which the edited job ticket is read and written into the first job ticket storing area when a request for saving the job ticket is received, as recited in claim 9.

The Office Action also alleges that Goodman discloses:

control the image forming apparatus, when a request for saving a job is received from the remote operation apparatus . . . , in such a way as to read the job edited by the remote operation apparatus from the another job storing area, and write the read job edited by the remote operation apparatus into the one job storing area (see Figs. 5 and 7 wherein information services 64 manage information and enable applications to access and manipulate data stored from documents or databases such that services 64 is capable of storing data on a single physical platform using database services 160 [column 76, lines 49 - 65] and see Fig. 8 wherein communication services 66 enables applications to interact with other local applications on the same workstation [column 82, lines 6 - 9 and column 83, lines 4 - 17]).

Office Action, pp. 13-14.

Goodman’s mere teaching of “information services 64 manag[ing] information and enable[ing] applications to access and manipulate data stored from documents or databases such that services 64 [are] capable of storing data on a single physical platform using database services 160” (Goodman, col. 7, lines 49-65), however, does not constitute a teaching of “reading out, when a request for saving the job ticket is received from the remote operation

apparatus, the job ticket edited by the remote operation apparatus from the second job ticket storing area and writing the read job ticket into the first job ticket storing area,” as recited in claim 9 (emphases added). Therefore, Goodman fails to teach or suggest each and every feature recited in claim 9.

The Office Action then relies on MacKay to allegedly cure the deficiencies of Goodman. See Office Action, pp. 14-16. Contrary to the Office Action’s allegations, however, MacKay does not cure the deficiencies of Goodman, at least because MacKay does not teach or suggest, among other features, “reading out the job ticket from the first job ticket storing area and writing the read job ticket into a second job ticket storing area, the second job ticket storing area being configured to store the job ticket capable of being edited only by the remote operation apparatus,” when a request for editing the job ticket is received from a remote operation apparatus, and “reading out, when a request for saving the job ticket is received from the remote operation apparatus, the job ticket edited by the remote operation apparatus from the second job ticket storing area and writing the read job ticket into the first job ticket storing area,” as recited in claim 9 (emphases added).

Moreover, due to at least the features discussed above with respect to claim 9 (similarly recited in claim 11), the claimed invention effectively prevents concurrent editing through the operation section of an image forming apparatus and through the remote operation apparatus. The claimed invention also enables a user to edit a job ticket from the remote operation apparatus without being influenced by the condition of the image forming apparatus, for example, when the operation section is performing an edition of a job ticket stored in the job ticket storing area for the mainframe operation section. These features of the claimed invention are neither taught nor suggested by the cited references.

For the foregoing reasons, Goodman and MacKay do not render independent claim 9 obvious. Accordingly, independent claim 9 should be allowable over the cited references. Although of different scope, independent claim 11, as amended, recites features similar to the features discussed above with respect to claim 9. Therefore, independent claim 11 should also be allowable for at least the same reasons discussed above in connection with claim 9. In addition, dependent claim 12 should be allowable at least by virtue of its dependence from claim 11, and because it recites additional features not taught or suggested by the cited references. Applicant therefore respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection.

Conclusion

Applicant requests reconsideration of the application and withdrawal of the rejections. Pending claims are in condition for allowance, and Applicant requests a favorable action.

The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 10, 2010

By: /David W. Hill/
David W. Hill
Reg. No. 28,220
(202) 408-4000